

NONCONFORMITY

Not Inconsistent

WITH

LOYALTY:

OR,

Protestant-Dissenters

NO

SEDITIONOUS OR DISLOYAL

SECTARIES:

EVIDENC'D IN

A SOBER DISCOURSE upon those STATUTES, by which the Protestant-Dissenters are Prosecuted at this Day.

Humbly offered to the Candid Consideration of all Protestants, whether Conformists or Nonconformists.

By JAMES JONES, a Protestant-Dissenter, and now a Prisoner in Wood-Street-Compter for Nonconformity.

*Ester. 3. 8,9. And Haman said unto King Ahasuerus, There is a Certain People Scattered abroad, and Dispersed among the People, in all the Provinces of thy Kingdom, and their Laws are divers from all the People, neither keep they the Kings Laws; Therefore it is not for the Kings profit to suffer them: If it please the King, let it be written, That they may be Destroyed.*

*Isa. 42. 22. But this is a People robbed and spoiled, they are all of them snared in holes, and they are hid in Prison-Houses: They are for a Prey, and none delivereth; and for a Spoil, and none saith, Restore.*

LONDON, Printed for the Author, and are to be Sold by William Bateman, and most Booksellers. 1684.

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By JAMES JONES, a Protestant Dissenter, and now a Member  
of the House of Commons for Nonconformity.

Printed by J. Smith, at the Sign of the Anchor, in St. Pauls Church-yard, 1784.

LONDON, Printed for the Author, and are to be sold by Wm.  
Wood, Stationer, and most Bookellers, 1784.

# To all Sincere Protestants, whether they be Conformists, or Nonconformists.

Fellow Protestants,

**I** Do humbly present to your sober consideration, a Brief Discourse concerning several Statutes by which the Protestant Dissenters are Prosecuted, to the very great damage of multitudes of Families, who are his Majesties Faithful Subjects, and can Appeal to God and the King, that they are persons of Loyalty, notwithstanding their Nonconformity. And as it is Recorded concerning Holy Daniel, who was the great Nonconformist of that day, Dan 6. 5. That he could not be fairly accused of any matters to make him a criminal, except it were concerning the Law of his God: Even so it may be truly said of the Nonconformists in England, however they may be Reproached, and be slandered as Seditious and Rebellious People. But it is well known, that it is a new thing for such as fear God, and are greatly favoured by God, to be mis-called. Jerusalem, which was the City of the Great King, viz. God, the King of Kings, Mat. 5. 35: was called the Rebellious and Bad City, Ezra 4. 12. and in verse 19. A City of Inturrection, Rebellion and Sedition. And Jesus Christ was charged with Blasphemy, Mat. 26. 56. and called a Deceiver, Mat. 27. 63. And the Apostle Paul was called a Possilent Fellow, a Mover of Sedition, and a Ring-leader of the Sect of the Nazarenes, Acts 24. 5. and his way of Worship was called Heresie, verse 14. And no marvel if it be so in these our days. But now it will be Replyed by some, that the Protestant Dissenters are in a Conspiracy and Bloody Plot against the Kings Person and Government.

Unto which let this answer be Considered:

That although some particular persons that have been counted Dissenters, may be so wickedly concerned, yet that is no proof that this is the Dissenters Plot, no more then, (because some of the Church of England, may be proved to have been in such a Conspiracy) it can be called the Church of England's Plot; which to affirm would be very wicked and abominable; for it would render the Church-Protestants no better than Traitors.

However, if either any of the Dissenters, or of the Church-men, should be so wicked as to be really guilty, let them suffer the Justice of the Law, that others may hear, and fear, and do no more so wickedly. But God forbid that a whole Party of any sort of people should be charged with the wickedness of some of the same Party: Simeon and Levi were guilty of a horrid and Bloody Fact, in cutting off Hamor and Shechem, which was the Prince of that Land, and his Son, and they also cut off the Inhabitants of that City where they Ruled, because that Shechem the Son of Hamor, had defiled Jacobs Daughter. See the whole Story in Gen. 34. But it would be a very unrighteous thing to charge good old Jacob with this Bloody Crime, because he was their Father; or to charge the rest of his Sons, because they were Simeon and Levi's Brethren. It is enough, that they who be really guilty of any Crimes, be charged with them, and be Prosecuted so as to suffer justly for them.

And besides this, it must be considered that such as have been innocent persons have been Accused of high Crimes, and have suffered death; as for instance, Naboth was accused that he had Blasphemed God and the King, and was stoned to death for it; when indeed it was a Plot invented by Jezebel, and managed by the Elders of the City where Naboth dwelt. See 1 Kings 21. v. 9, 10, 11.

And thus we find it concerning our Blessed Saviour, he was Accused that he said, he would destroy the Temple which was made with hands, and within three days build another without hands, Mark 14. 58. Now Christ had spoke of Destroying and Raising of a Temple in three days, see John 2. v. 19. Jesus answered and said unto them; Destroy this Temple, and in three days I will raise it up, v. 21. But he spoke of the Temple of his Body.

Thus we have two famous Instances of false Accusations concerning words; Naboth was Accused of words that he never spoke; Christ was Accused of some words he had spoke, but the Accusation was not just as the words were spoken: for though he spoke of a Temple, and destroying of it, and raising of it, he did not say the Temple that was made with hands, neither did he say that he himself would destroy any Temple, but he spoke to the Jews, who he knew would destroy his Body, and said to them; Destroy this Temple, and as for Raising of it up, that he said should be his own work; And I will Raise it up in three days. But he was Prosecuted for saying he would destroy the Temple of Solomon, and build it in three days, when it was no such thing. And in our English Chronicle, it is storied of a good House-keeper



or, (in the Reign of King Edward the Fourth) that told his Son, who was a Child, saying, Thou art Heir to the Crown, meaning his house, which was the sign of the Crown in Cheap-side. But the Honest Citizen was Accused of Treason, and suffered Death as a Traytor. See Bakers Chron. However, it must be confest that Trayterous Designs have been too many times managed against the Kings of several Kingdoms, and against the King of England in particular; and whosoever can be proved really guilty thereof, ought to suffer according to their Crimes.

But as for my own part, who do profess my self a Protestant Dissenter, I do solemnly profess, before Almighty God, that I do with my Soul, abhor all acts of violence to the meanest of the Kings Subjects; and do deem it ten thousand times worse to offer any violence to the Person of the Kings Majesty: 1. Because of the Greatness of his Person, he being by the Providence of God the Head of the Nation: 2. Because the shedding of his Blood, and taking away of his Life, is the ready way to make the Kingdom swim in Blood, by reason of those Distractions that would attend such a bloody action. Besides the greatness of the Sin in the sight of that God who will make inquisition for Blood.

And therefore though persons of contrary minds to the Government in matters of Religion, may be greatly oppressed because of Laws made against them, yet it is their duty to walk by these Following Rules.

1. To be subject to the Higher Powers, Rom. 13. 1.
2. To Render to all their Dues, viz. Tribute, Custom, Fear and Honour, Rom 13. 7.
3. To be patient in Tribulation, Rom. 12. 12.
4. To Recompence to no man Evil for Evil, Rom. 12. 17.
5. To Pray for them that Persecute them and despitefully use them, Mat. 5. 44.
6. If it be possible as much as in them lieth, to live peaceably with all men, Rom. 12. 18.
7. Not to be overcome of Evil, but to overcome Evil with Good, Rom. 12. 21.

JAMES JONES

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# NONCONFORMITY Not Inconsistent WITH LOYALTY: OR,

*Protestant-Dissenters no Seditious or Disloyal Sectaries.*

Evidenc'd in

A Sober Discourse upon all those Statutes by which the Protestant-Dissenters are Prosecuted at this Day.



I. Government in Nations and Kingdoms is the Glory of this World, for thereby things of all sorts, and Persons of all Degrees, are Regularly managed and disposed of; and though some Governments are far better than others, yet that Government that is not so good as it ought to be, is far better than no Government at all; for without Government there is nothing but dreadful Confusion, each party striving to have his own Lust a Law for others; Therefore it is far better for Common Good to be under a Government by settled Laws, though in some things bad, than to be under the Will and Pleasure of any particular Person, or any Number of Persons, whose Proceedings may be according to that Power and Might in a way of force, as they are able to Exercise over each other; and so, as there may be an Uncertainty of Commanding, there must needs be an Uncertainty of Obeying, and so an Uncertainty of any Safety.

II. The Government of Nations doth very much differ from each other in the particular forms thereof, some being governed by Kings, and some by States, and some by other Governours; but tho there is a Difference in forms of Government, and in the Titles of Governours, yet they all agree in the Substantials of Government, viz. To maintain a Publick Peace amongst themselves, and to be so United unto each other, as to defend themselves against Forreign Foes, and to punish such as are Offenders, in offering any kind of Violence to the Persons, or Power of their Governours, or to the Persons, Privileges and Properties of each other. And in these and such like things, those that differ in matters of Religion, from what may be the Established Worship of the Countrey where they are Inhabitants, yet they ought to behave themselves in all peaceable manner with Subjection to those that are in Authority; For the People of God in the Primitive

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tive Times, though in Religious matters they differ'd from those Countreys where they were Inhabitants, yet they were taught by the Doctrine of the Apostles to maintain the Welfare and Grandure of the Government. See *Rom. 13. 7. Render therefore to all their Dues, Tribute to whom Tribute is due, Custom to whom Custom, Fear to whom Fear, Honour to whom Honour; And also to lead a quiet and peaceable Life in all Godliness, and Honesty under Authority; see 1 Tim. 2. 2.*

III. And it may be truly said that *England* is most happy in its Government, as it consisteth of King, Lords and Commons, by whom Laws are made for the whole Kingdom; And the Law-makers are also under the Power of the Laws they make. And this is most excellent, that each Party of the Law-makers, considered as King, Lords and Commons, cannot impose any thing as a Law upon the Subjects in General, nor upon each other, without a mutual Consent, viz. The King cannot impose a Law upon the Peers; The Peers cannot impose a Law upon the King; The King and Peers cannot impose a Law upon the Commons; The Commons cannot impose a Law upon the King and Peers; but King Peers and Commons by a joint Consent do make Laws.

IV. And each Party who have matters one against another, cannot Determine or Issue their Case according to their own Minds and Wills, and at their own Pleasures, but the Determination of all matters must be in a Legal Way, being tryed before the Honourable Judges of the Realm, who are Required by Law that they shall not deny nor delay Justice; & the whole Issue of matters in Controversy must be determined by a Jury of the Neighbourhood, viz. Twelve men of Honesty and Wisdom, that so the Kings Subjects may receive no Wrong by Knaves or Fools; and in some great Criminal Cases, the Prisoner or Accused Party is allowed by Law to except against a great Number of the Persons, who are Summoned to be of his Jury, without shewing any Reason, but only because he doth not like them; and may after that Number is Expired, except against many others upon such Reasons as the Court can justly approve of. So tender is the Law of mens Lives, that good Provision is made for the Right Administration of Justice; that so the Innocent may be acquitted, and none but the Guilty may be punished; unless the King extend Mercy in Pardonable Cases, in hope of the Offenders Amendment.

V. And this further must be considered, that one part of the Law-makers are the House of Commons, who are Chosen by the People, and have power to prepare Bills for the Consent of the House of Lords, and also to Accept or Reject Bills from the House of Lords, before they are Presented to his Majesty for his Royal Assent; and therefore if any Laws be made that are not for the peoples profit, the Electors of such Members of Parliament must Reflect upon themselves for making such a Choice, and look better to their Choice for the time to come.

VI. And sometimes His Majesties Leige People may Receive and Sustain Damages and Wrongs, not because the Laws are bad, but because it is badly managed by such as do not well understand the Laws; or else because they may have some Antipathy in their minds against those that are Prosecuted; and so, that they may Accomplish their own wills against some particular persons, do sometimes venture to swerve from the true meaning of the Law.

VII. And for the good of the King and Kingdom, the Wisdom of the Nation Assembled in Parliament doth sometimes upon mature consideration prepare Bills for Acts of Parliament, in which some former Laws are Confirmed and Explained, and some Laws are Repealed, and some New Laws are made.

VIII. Now therefore that Justice may be Rightly Administred unto all the Kings Subjects, it doth highly concern all Mayors of Cities and of other Corporations, as also

so all Justices of the Peace in the severall Countyes of this Realm, together with all other Peace-Officers concerned in the Executing of the Laws, To make sure of a Right Understanding of their severall Offices according to Law, that as they may not come short, so they may not go beyond that power the Law hath committed unto them, and so become needlesse Prosecutors and Troublers of the Kings Subjects to their hurt and damage; though after great Charge and Expence, such may be Relieved by the Kings Honourable Judges, and it may be, those that were their Troublers may pay for it afterwards to their Cost and shame, when Justice shineth in the Kings Courts of Justice, being displayed impartially between the King and his Subjects, and also between Subject and Subject.

IX. In the Right Administration of Justice, it doth highly concern the Executors of the Laws, to consider the Nature of the Offences punishable by the Law, whether they be great or small, whether they be such as are any way a hurt to the person of the King, or to the Publick Peace of the Kingdom, or whether they be such things as tho' the Law doth count Offences yet in themselves are not matters at all Criminal, viz. matters of Conscience, by reason of mens Differing Opinions in matters of Religion, which in themselves are no way hurtful to any mans Person, Name or Estate.

X. It is also to be soberly considered, what kind of persons the Deemed and Reputed Offenders are, whether they do at all own and adhere to any Forreign Jurisdiction, or whether they do own and approve of the Kings Majesty as the Supream Governour of this Realm, and all other his Dominions and Countries, in opposition to the Pope, and all foreign Jurisdiction; who though they may in some things of Religion differ from some matters of Worship as Established by Law, are yet known to be such as fear God and Honour the King, and profess, practice, and promote the Protestant Religion, and are ready to assist and maintain the Government in the Peace and Tranquility of it, both with Person and Purse, as hath been demonstrated by the Protestant Dissenters in general; and that in a time and times of great Distress; when they have been severely Prosecuted in City and Country, to the very great damage of many good Families, who desire to live and dye his Majesties Peaceable Subject.

But it may be some will object and say, That the Dissenters have been Troublers and Disturbers of the Government, and so call to Remembrance the Insurrection that was made by *Venner* and his Party in the City of *London*.

Unto which a satisfactory answer may be returned, and therefore pray let these following things be considered in the behalf of the generality of the Protestant Dissenters.

1. That the Insurrection of *Venners* Party was condemned by the Dissenters throughout the Kingdom, as an Act of great violence and wickedness.

2. That Conspiracy was but by a few, viz. 29. who were known to be men of fiery Spirits and swimming Brains, and would fain have been at the same work in the time of *Oliver Cromwell*, if he had not very timely prevented it.

3. Though they were Dissenters, yet it is well known, that they were fierce-spirited men against all other Dissenters that were not of their desperate minds.

4. The Law hath taken hold of them, and their persons have been punished severely for that desperate practice, and the Dissenters in general throughout this Realm were not concerned in that Business.

5. It is not at all fair, that any Party of men should be charged with, and condemned for the foolish rash Proceedings of some that may be called by the same distinguishing name; for suppose some Presbyterians, some Independants, some Anabaptists, and some Quakers, should Conspire against the Government, it will not be fair dealing to deem that all of those names are all alike in such bad things.

For by this Rule, all *French-men*, *Scotch-men*, *Irish-men*, and other Countries must be deemed Enemies to the Government, because some have been proved to be so; yea according to the aforesaid Rule, all sorts of Tradesmen, Gentlemen, Clergy-  
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men, Knights, Lords, Earls, Dukes, though good Members of the Church of England, must be censured and feared to be Traytors, because some of such degrees and qualities have been proved to be such Criminals; but as this is far from Christianity, so it is very far from good humanity: it is enough that those and only those who are the Criminals be punished according to their Crimes, and as for all others who are not concerned in such Crimes, tho they be under the same Denomination Respecting Degrees in the World, or in matters of Religion, yet they ought to be esteemed and favoured as Loyal Subjects to the King, although there may be some matters of Religion that the Law doth account Offences.

XI. That Justice may be Rightly Administred, and Oppression may be avoided, the nature and weight of the punishments inflicted by Law, ought to be well considered, and compared with the Offences, especially if there be several ways of punishment for one and the same Offence; and if the Executors of the Law, be left at liberty to take which way they please, of the greater or smaller punishments: For as much as it favoureth too much of Severity, if not Cruelty, for such as profess Christianity, to proceed violently one against another, when they may be more gentle and friendly to each other, especially in matters of Conscience, but it is to be lamented, that too many persons, partly for want of Understanding in the Law, and partly by reason of violent spirits, instead of being Legal and Merciful Prosecutors, are dreadful Oppressors & Persecutors of such as are their Fellow Protestants.

XII. Now for as much as the poor Protestant Dissenters are Prosecuted, and so are distressed by divers Laws that are put in Execution against them; let those Laws be soberly considered, together with the persons and things for which they are Prosecuted, that so neither the Laws nor the Kings Subjects may be abused by reason of the inconsiderate Proceedings of those that have not such a good Understanding of the Laws as they ought to have, for the well managing of that Office or Authority they have arrived unto. And besides such ignorance in the Law, men in Authority are sometimes attended with such displeasure of mind, as may be called ill-will, against some persons that they may be concerned with, in the exercise of such Authority; and so are apt to go beyond the Law, and beyond the Right Execution of that Authority that the King and the Law hath invested them with.

And therefore a particular Account of those Statutes by which the Protestant Dissenters are Prosecuted to their great damage, for such things as they do humbly conclude to be the matters of their God, with some sober Considerations upon the said Laws, take as followeth.

The Protestant Dissenters are in some places Prosecuted by the Statute *Anno primo, Regina Elizabethæ* Chapter 2. paragraph 14. where it is Ordained, *That all and every Person and Persons inhabiting within this Realm or any other the Queens Dominions shall Resort to their Parish Church or Chappel, or to some usual place where Common-Prayer and such Service of God shall be used upon every Sunday and other days, ordained and used to be kept as Holy-days, and then and there to abide orderly and soberly, during the time of the Common-Prayer, Preaching or other Service of God, there to be used and ministred, upon pain of punishment by the Censures of the Church, and also upon pain that every person so offending, shall forfeit for every such Offence Twelve-pence, to be Levied by the Church-Wardens of the Parish where such Offence shall be done, to the use of the Poor of the same Parish, of the Goods Lands and Tenements of such Offendor, by way of Distress.* And in Paragraph 20. It is Enacted, *That no person or persons shall be Impeached or otherwise Molested for any of the Offences in the said Act, unless he or they so offending, be thereof Indicted at the next General Sessions to be holden before any such Justices of Oyer and Terminer, or Justices of Assize next after any Offence committed or done contrary to the Tenor of this Act.*

Now for the better understanding of the aforesaid Act, let the whole of it be perused as it is in the Statute-Book, however a brief account you shall have as followeth.

I. A Confirmation of the Book of Common-prayer, and Administration of the Sacraments, as it was in the fifth and sixth years of *Edward the sixth*, see Paragraph 1, 2, 3.

II. That if any Parson, Vicar, or Minister, shall Refuse to use the said Book of Common-Prayer, or to Minister the Sacraments in such Order and Form as is mentioned in the said Book, in any Cathedral or Parish-Church, or other places; or that shall use any other Form or Order of Celebrating the Sacraments, or that shall use any Mattens or Even Songs, or other publick Prayers then is mentioned in the said Book, or that shall Preach, Declare or Speak anything in the Derogation or Depraving of the said Book, or any part thereof; And shall be Lawfully Convict thereof by the Verdict of Twelve men, shall for his first Offence forfeit all his Spiritual Benefices or Promotions, for one whole year next after his Conviction, and shall suffer Imprisonment for the Space of six Months; and for such Offence, a second time being Convict, shall suffer Imprisonment a whole year; and shall be Deprived Ipso Facto, of all his Spiritual Promotions: and for the third Offence, being Convict thereof, shall be Deprived of all his Spiritual Promotions, and suffer imprisonment during his Life.

And if the Person that shall offend shall not be Beneficed, nor have any Spiritual Promotion, and be thereof Convicted, shall suffer Imprisonment one whole year, for the first Offence, without Bail or Mainprize.

And if any such Person not having any Spiritual Promotion, shall be Convict of such second Offence, shall suffer Imprisonment during his Life. See Paragraph 4, 5, 6, 7, 8.

III. It is further Enacted, That if any Person or Persons whatsoever, shall in any Interludes Playes or Songs, Rhimes, or other Words, Declare or Speak any thing in the Derogation, Depraving or Despising of the same Book, or shall Compel, or Procure, or Maintain any Parson, Vicar or other Minister, to sing or say any Common or open Prayer, or to Minister any Sacrament otherwise, or in any other manner and Form then is mentioned in the said Book, or shall by any of the said means Interrupt or Let any Parson, Vicar, or other Minister, to sing or say Common or open Prayer in any Cathedral, or Church, or Chappel, or any other place; shall for the first Offence being Lawfully Convict thereof, Forfeit an hundred Marks, and for the second such like Offence forfeit four hundred Marks, and for the third Offence being Lawfully Convict, shall forfeit all his Goods and Chattles, and suffer Imprisonment during Life. See Paragraph 9, 10, 11.

IV. That it is further Enacted, That whosoever of the Inhabitants of this Realm, &c. that shall not come to the in Parish-Church or Chappel, or other place of Common-Prayer, where it usually said, shall forfeit Twelve-pence for every Sunday and Holy-day. See Paragraph 14.

Now from this Statute let these following Particulars be Soberly Considered.

1. That this Statute was made in the first year of *Queen Elizabeths* Reign, presently upon the Casting out, and throwing down of Popery.

2. That by this Statute the Protestant Religion was Revived and Confirmed, and so the Reformation was further carried on, as it was in the Reign of that happy Prince, *Edward the Sixth*.

3. Consider that at the time of making this Statute, the whole Realm did Consist of Protestants and Papists, Considered as Clergy and Layity. The Realm was not then acquainted with such a thing as Protestant-Dissenters, and therefore it cannot be fairly supposed that this Act was intended for such, barely as such; but the Design of this Act was, First, To settle a Protestant-Ministry, to manage the Protestant Religion according to the Light of that day: Secondly, To Remove all such as were Popishly affected from Ministerial Office, that so they might not keep the Queens Subjects in Popish Blindness: Thirdly, To bring the People from Popery to the Protestant Religion; and therefore a gentle way of Punishment was Provided, viz. Twelve-pence forfeit for every Sunday and Holy-Day, for not coming to the place of Common-Prayer, so as to hear it and attend it. Now if the poor Protestant-Dissenters must be punished by Law for their Non-Conformity, let such as are in Authority consider that this Law will not do their Fellow Protestants so much harm as some other Laws; and yet this Punishment of Twelve-pence a day is a heavy Punishment for such Poor People as are not worth

Twelve-pence; and more especially if five, or ten, or twenty days Forfeits be laid upon such Poor People.

4. Consider that though this be a gentle way of Punishment, yet there is no Word of God will Justifie it; for God hath not appointed any kind of Fines or Forfeitures, great or small, as a Punishment for not Conforming to his Worship; and if either Papist or Protestant should Conform only to avoid this or any other Punishment, they would be but Hypocrites, the Conformity being only to save their Purses, and not the Act of their Spirits.

5. Consider that in the Strictness of this Statute, if Protestants may be Prosecuted, great Numbers of those that are Church-Protestants are a kind of Non-Conformists, because they do not go to Common-Prayer upon every Holy-day; and surely they would be loth to be so Prosecuted themselves, as they Prosecute their Fellow Protestants.

II. The next Statute by which the Protestant Dissenters are Prosecuted and Distressed, which now shall be Discourfed, is, *Anno Viceffimo Tertio Regina Elizabethæ*, Chap. 1. Paragraph 5.

Where it is Enacted, *That every Person above the Age of Sixteen years, which shall not Repair to some Church, Chappel, or usual place of Common-Prayer, but forbear the same, contrary to the Tenor of a Statute, made in the first year of her Majesties Reign, for Uniformity of Common-Prayer, and being Lawfully Convicted, shall forfeit to the Queens Majesty for every Month, Twenty Pounds of English Lawful Money.*

Now for the better Understanding of the aforesaid Statute, it will be best to peruse the whole of it, as it is in the Statute Book of the Realm; in which it will evidently appear that it was Designed directly against those of the *Romish* Religion.

See Paragraph 1. where there is mention made of *divers ill Affected Persons, who used divers ways and means to withdraw her Majesties Subjects from their due Obedience, to obey the Usurped Authority of Rome.*

See Paragraph 2. where it is Enacted, *That all Persons whatsoever that shall absolve, or by any Ways or Meanes perswade the Queens Subjects from their Natural Obedience, to any Obedience to the Pretended Authority of the See of Rome, or of any other Prince, State or Potentate, to be had or used within her D. minions, shall be Judged as Traytors, and shall suffer as Traytors.*

See Paragraph 3. And it is likewise Enacted, *That every Person and Persons that shall be willingly Aiders or Maintainers of such Persons, or shall conceal and not Disclose such Offences, shall be Tryed and Judged, and suffer as Offenders in Misprision of Treason.*

See Paragraph 4. It is likewise Enacted, *That every Person which shall say or sing Mass, being Lawfully Convicted, shall forfeit the Sum of two hundred Marks, and be Committed to the next Goal, there to Remain for the space of one year; and that every Person which shall willingly hear Mass, shall forfeit one Hundred Marks, and Suffer Imprisonment a year.*

And in Paragraph 5. It is Enacted, *That every Person above the Age of Sixteen years, which shall not Repair to some Church or Chappel, or usual place of Common-Prayer, shall Forfeit for every Month the Sum of Twenty Pounds.*

From which Particulars of the aforesaid Statute, let these following things be Considered.

1. A further Confirmation of the Protestant Religion, and the Authority of the Queen, as a Protestant Monarch in her own Realm, in Opposition to any Pretended Authority by the See of Rome, is plainly Asserted.

2. A further Proceed in providing Punishments for those that shall maintain the Authority of Rome in this Realm, and any manner of ways endeavour to withdraw the Subjects of England, to obey the Authority of Rome, in Opposition to the Authority of the English Monarch.

3. It seems by this Statute that after Twenty three years Reign of this Protestant Queen, the Popish Party were still busy in maintaining the Authority of Rome, and were not brought to submit to the Protestant Religion, and therefore further Provisi-



on is made by a greater Penalty to Reduce them, viz. from Twelve-pence a day, unto Twenty pounds a Month.

4. And though this Statute doth mention every person above the Age of Sixteen years, as being Required to come to Church; there is good Ground to conclude, That by every Person was intended every such person as absented by Reason of their being of the Popish Religion, and Adhering unto the Authority of Rome, or any Forreign Jurisdiction, and thereby declared themselves to be implacable, and Irreconcilable Enemies to the Government, both in Church and State.

5. Consider that if the Law-makers had intended such as are now called Protestant-Dissenters, such would have been Distinguished from the Popish Party by some other Name, as it is in the Statute of the 35th of Elizabeth, which shall be next Discours'd of; and therefore to Prosecute the Protestant Dissenters by this Law, which undoubtedly was made against the Papists, and is doubtful whether it was made against any Protestants, seemeth to be hard dealing; especially considering that there are other Laws by which the Protestant Dissenters have been, and still are greatly Distressed.

6. Consider the greatness of this Punishment, viz. of the Forfeiture of Twenty pound a Month, for not Repairing to some Church or Chappel, or usual place of Common-Prayer; for though a Person may be Indicted but for one Month, and be Convicted thereof, he shall forfeit Twenty pounds a Month all the time after such Conviction, until he shall make such Submission in a way of Conformity as the Law doth Require, without any more Indictments or Convictions.

See this in the Statute, *Anno Vicesimo nono Regina Elizabethæ*, Chap. 3. Paragraph 3, 4. Where it is Enacted, That such Offender shall also for every Month after such Conviction, without any other Indictment or Conviction, pay into the Receipt of the Exchequer, after the Rate of Twenty pounds for every Month after such Conviction. So that after this Rate, such Offender will forfeit Two Hundred and Three-score pounds a year, there being according to Law, thirteen Months in the year.

And it is further Provided, by this last-mentioned Statute, That if default shall be made in any part of any Payment aforesaid, that then and so often the Queens Majesty shall and may by Process out of the said Exchequer, Take, Seize, and enjoy all the Goods, and Two Parts as well of all the Lands, Tenements, and Hereditaments Lyable to such Seizures, Leaving the third part only of the same Lands, Tenements and Hereditaments, Leases and Farms, to and for the Maintenance and Relief of the same Offender, his Wife, Children and Family.

And for a further demonstration of this Matter, that these forementioned Acts, viz. 23. and 29. Eliz. were made and designed for the Popish Party, is further evident by the Statute of *Primo Jacobi Regis*, Chap. 4. the Title of which Act is thus: *An Act for the due Execution of the Statutes against Jesuites, Seminary Priests, Recusants, &c.* And the first part of this Act is to confirm and to put in Execution all those Statutes in the Reign of Queen Elizabeth, against Jesuites, Seminary Priests, and other such-like Priests, and also against all manner of Recusants.

Now by those words, *Jesuites, Seminary Priests, and other such-like Priests*, are to be understood all the several Orders of Ecclesiastical Persons belonging to, and owning of the Authority of Rome; as doth appear by some words in the first Paragraph of the said Statute, viz. *Ecclesiastical Persons whatsoever, made, ordained, or professed, or to be made, ordained, or professed, by any Authority or Jurisdiction derived, challenged, or pretended, from the See of Rome.*

And by these words, *all manner of Recusants*, are to be understood all manner and sorts of Persons, Respecting their Degrees, Considered of the Layity, belonging to the Church of Rome; For, in as much as Recusants are joyned with Popish Priests, it must be understood of Popish Recusants.

And this is further Evident by and from the Statute of *Anno Tertio Jacobi Regis*, Chap. 4. The Title of which Act is thus: *An Act for the better discovering and Repressing of Popish Recusants.*

1. Now from the Title of this Statute Consider that Popish Recusants are the only Persons mentioned, and therefore the Statute it self ought so to be understood, as being

ing provided for the better Discovery and Repressing of them, and no others; Except that any particular Passage in the said Statute doth mention any others, as distinguished from *Popish Recusants*.

2. And therefore let the Statute it self be Considered in all the Paragraphs, whether any others of the Kings Subjects (not being Papists) are at all concerned in the Penalties of the said Statutes, viz. 23 Eliz. and 29 Eliz. which are particularly mentioned in this Statute, provided to punish Persons for not coming to Common-Prayer or the Sacrament. Take a brief Account of the said Statute, Respecting not coming to Church and Sacrament.

1. In the first Paragraph of the said Statute the Authority of the Realm took notice, that *divers Persons Popishly Affected did sometimes Repare to Church, to escape the Penalty of the Laws in that behalf provided, who notwithstanding did adhere in their Hearts to the Popish Religion; and so by the Infection drawn from thence, were ready to Entertain and Execute any Treasonable Conspiracies; as did Evidently appear by that more then barbarous and horrible Attempt to have blown up with Gunpowder the King, Queen Prince, Lords and Commons, Assembled in Parliament.*

2. In Paragraph the Second and Third, It is Enacted for the better discovery of such Evil Persons, viz. *Every Popish Recusant Convicted, or that should be Convicted, and that should afterward Conform, to come to Church and Common Prayer, should also take and Receive the Sacrament once in every year following; and if they did not, then they should forfeit for the first year Twenty Pounds, and for the second year Forty Pounds, And for every year after Threescore Pounds.*

3. In the Fourth Paragraph it is Enacted, *That the Church-Wardens and Constables of their Respective Towns or Parishes, and Chief Constables of the Hundred, shall present the Monthly Absence from Church of all manner of POPISH RECUSANTS within such Towns and Parishes (Mark those plain words of the said Statute) it is not said they shall Present Protestants, but Popish Recufants.*

4. In Paragraph the fifth it is Enacted, *That such Church Wardens, Constables and High-Constables, for every Default in not Presenting such Recusants, shall forfeit Twenty Shillings; and if they do make such Presentments, they shall be Recorded by the Clerk of the Sessions without any Fee, on Forty Shillings Forfeit.*

5. In Paragraph the sixth it is Enacted, *That every Church-Warden, Constable and High-Constable, as shall make such Presentment, so as the Party shall be Indicted and Convicted, shall have for Reward, Forty Shillings, to be Levied out of the Recusants Goods.*

6. In Paragraph 10. A Repetition is made of that part of the Statute of the Twenty Third of Elizabeth, concerning the Forfeiture of Twenty Pound a Month for not coming to Church.

7. In Paragraph 11. There is a Recitation of that part of the Statute of the 29th of Elizabeth concerning the Queens having power by the said Statute to seiz upon all the Goods, and two parts of the Lands and Tenements, Leases and Farms of such Offender upon Default of the Non Payment of the aforesaid Twenty Pounds a Month, and let the Offender enjoy the third part of his Lands and Tenements, Leases and Farms for the maintenance of his Family. And then this Statute, viz. The Third of King James, doth further provided, *That the King shall have power to Refuse the Twenty Pound a Month, though the Offender be ready to pay it according to the Statute of 29th of Elizabeth, and if he please, may Take, Seiz, and enjoy the two parts of the Offenders Estate; and the reason for so doing was, because the Popish Party, who were men of great Estates could bear the payment of Twenty Pounds a Month, and so Retain the Relidue of their Livings and Inheritance in their own hands, which as the said Statute saith, was for the most part imployed to the Maintenance of Superstition and Popish Religion, and to the Relief of Jesuits, Seminary Priests, and other dangerous persons to the State.*

Now from these things soberly considered, in comparing one Statute with another, it seemeth evident that the aforesaid Statutes were designed and intended for the Papists, they being so often mentioned in plain words, viz. *Jesuits, Seminary Priests, and other Priests and Deacons belonging to the See of Rome, and all manner of Popish Recusants; and no mention of any other persons distinguished from the Papists.*

And therefore it seemeth hard measure that such as are known and sufficiently owned to be Protestants by the several Neighbourhoods where they dwell, throughout this Kingdom,

Kingdom, should be Prosecuted by such Laws in which they are not at all mentioned, especially seeing there are other Laws by which they are sufficiently distressed.

III. Another Law by which the Protestant Dissenters have been and still are Lyable to be Prosecuted, is the Statute of *Anno Tricesimo quinto Regina Elizabethæ*, Chap. 1.

In which Statute these things are Enacted and Provided :

1. That if any Person or Persons above the Age of Sixteen years, shall obstinately Refuse, to Repair to some Church, Chappel, or usual place of Common-Prayer, by the Space of a Month, to hear Divine Service Established by her Majesties Laws, or shall by Printing, Writing, or Express Words or Speeches, Advisedly or purposely Practise or go about to move any of her Majesties Subjects, or any others, to deny, withstand, or impugn her Majesties Power and Authority in Cases Ecclesiastical, or shall Advisedly and Maliciously move or perswade any other Person to forbear to come to Church, to hear Divine Service, or the Communion, according to her Majesties Laws, or to come to, or be present at any Unlawful Assemblies, Conventicles, or Meetings, under Colour or Pretence of any Exercise of Religion, contrary to her Majesties said Laws and Statutes, or shall willingly join in, or be present at any such Assemblies, Conventicles, or Meetings, that then every such Offender being Lawfully Convicted, shall be Committed to Prison, there to Remain without Bail or Mainprize, until they shall Conform and Yield themselves to come to some Church or Chappel, or usual place of Common-Prayer, and hear Divine Service. See Paragraph 1.

2. It is Provided in the same Statute, That if such Offender so Convict as aforesaid, shall not Conform in coming to Church, to hear Divine Service, and to make such open Confession as is after appointed by this Statute, being Required thereunto, within the Space of three Months, after Conviction by the Bishop of the Diocese, or any Justice of Peace of the County where the Person shall happen to be, or by the Minister or Curate of the Parish, That then every such Offender upon his being warned and Required by any Justice of Peace of the same County, shall upon his Corporal Oath abjure this Realm, and all other her Majesties Dominions and Countreys, and shall not Return without Licence from her Majesty. See Paragraph 2.

3. It is Provided, That if such Offender shall Refuse to make such Abjuration as aforesaid, or after Abjuration made, shall not depart out of this Realm according to this present Act, or after such his Departure, shall Return again without her Majesties Licence, that then in every such Case the Person offending shall be Adjudged a Fellow, and shall suffer as in the Case of Felony, without the Benefit of Clergy. See Paragraph 3.

4. It is further Enacted, That if such Offender before he or they be so warned or Required to make Abjuration, shall Repair to some Parish-Church on some Sunday or Festival Day, and there hear Divine Service, and make Publick and open Submission, and Declaration, of his and their Conformity, that then the same Offender shall be clearly discharged of all the Penalties and Punishments Inflicted or Imposed by this Act.

The Form of Submission is as followeth, See Paragraph 4.

5. I A B. Do humbly Confess and Acknowledge, That I have grievously Offended God, in Contemning her Majesties Godly and Lawful Government and Authority, by absenting myself from Church, and from hearing Divine Service, contrary to the Godly Laws and Statutes of this Realm, and in using and frequenting Disordered and Unlawful Conventicles and Assemblies, under Pretence and Colour of Exercise of Religion: And I am heartily sorry for the same, and do Acknowledge and testify in my Conscience, That no other Person hath or ought to have Power over her Majesty; and I do promise and protest, without any Dissimulation, or any Colour or means of any Dispensation, that from henceforth I will from time to time obey and perform her Majesties Laws and Statutes, in Repairing to the Church, to hear Divine Service, and do my utmost indeavour to maintain and defend the same, See Paragraph 5.

6. It is also Provided by this Act, That no Popish Recusant, or Feme-Covert, shall be Compelled, or bound to Abjure by Vertue of this Act, See Paragraph 12.

7. It is further Provided by this Statute, That every Person that shall Abjure, or Re-



use to Abjure, being Required thereunto as aforesaid, shall forfeit and lose to her Majesty all his Goods and Chattles for ever, and shall further lose all his Lands, Tenements and Hereditaments, for and during the Life only of such Offender, & no longer, and that the Wife of such Offender shall not lose her Dower, and that the Heir of such Offender, after the Death of such Offender, shall have and enjoy the Lands Tenements and Hereditaments of such Offender.

From this Statute let these things be Considered.

1. That it is Evident this Statute was made for the punishing of such as were not at all accounted Papists, or Popish Recusants, and this will appear in these following Reasons; First, Because the design of the Statute was for the preventing and avoiding of great Inconveniencies and Perils as might happen and grow by the wicked and dangerous Practices of *Seditious Sectaries*, and disloyal Persons: Now this word *Seditious Sectaries*, doth distinguish some Persons from those, that by the Law of this Realm are called *Papists*, or *Popish Recusants*; Secondly, Because *Popish Recusants* are exempted from Abjuring of the Realm, by vertue of the aforesaid Statute, which is a plain Demonstration that the Severity of this same Law was made and intended for such as were not *Papists* or *Popish Recusants*; and therefore good Reason to conclude that those other Statutes in which mention is made, of the *Popish Party* were made only against them, and not against such as are in this Statute called *Sectaries*, who are not *Papists*.

2. Consider how those persons are described for whom the punishments of this Statute are Provided, viz. Seditious Sectaries and Disloyal Persons: See Paragraph 1. And for as much as this Law hath been put in Execution against the Protestant Dissenters, it is meet to inquire whether they are in very deed such persons, viz. Seditious Sectaries and Disloyal Persons.

It is one thing for persons to be called and reputed such, and another thing to be such indeed and in truth. The City of Jerusalem was called and counted a City of Rebellion and Sedition, See *Exra.* 4. 19.

The Blessed Apostle Paul was Accused of Sedition, and being a Ring-leader therein, see *Acts* 24. 5. For we have found this man a Pestilent Fellow, and a Mover of Sedition among all the Jews throughout the world, and a Ring-leader of the Sect of the Nazareens; thus it is evident from the Holy Scripture that the best of persons have gone under the worst names, being deemed such as indeed they are not; our Lord and Saviour Jesus Christ was called a Devil, yea *Belzebub the Prince of the Devils*, and he was Prosecuted unto death, as being a Blasphemer; and therefore it must not be wondered at, if those that are now most pure in the Profession and Practice of the Christian Religion, be called Seditious Sectaries and Disloyal Persons; though indeed and in truth they are not such, as may be truly said of the Protestant Dissenters.

1. They are not Seditious Persons, because they make the Word of God the Rule of their Faith and Practice promoting the Christian Religion in every part of it, as it is in opposition to Popery according to the best of their light and knowledge in the Holy Scriptures, endeavouring to live a Holy Life and Conversation, suitable to such a Holy Profession, and therefore ought to be deemed good Protestants, though in some things they differ from the Church-Protestants; especially considering that those things in the Protestant Religion wherein both Parties do agree, are greater than those things wherein they do differ; and yet those things wherein they differ are such as each Party cannot Conform to, without wronging of their Consciences; and doubtless the Church-Protestants would think it hard measure if they should be forced to Conform to the Dissenters, even as the Dissenters think it hard measure to be forced to Conform to the Church-Protestants.

And therefore each Party should labour to walk by that Golden Rule that Christ hath given in *Mat.* 7. 12. *Whatsoever ye would that men should do unto you, do you even to them for this is the Law and the Prophets.*

2. The Protestant Dissenters cannot fairly be deemed Disloyal Persons, forasmuch as they do acknowledge the King to be Supream Governour of this Realm, and all other His Majesties Dominions and Countries, in opposition to the Pope and all Foreign Jurisdiction, and are ready with their Purse and Persons to maintain the Kings Person and Crown against all Murdering Conspiracies among any sort of persons whatsoever.

And

And though it may be objected, that some under the name of Protestant-Dissenters have been charged with and have been found guilty of the aforesaid Wickedness; God forbid that this should be charged upon the whole Party, for as much as it is well known that the generality of the Protestant Dissenters do abhor such Principles and Practices, and do as heartily desire that the King may enjoy his Crown and Kingdom free from all violence, as they desire to enjoy their own Habitations and other their Lawful Concernments.

What though some Gentlemen, some Knights, some Peers of the Realm, be charged and found guilty of Disloyalty; yet it would be very unrighteous to charge or deem all of such Degrees or Titles to be so guilty of the like Disloyalty.

However Non-Conformity barely of it self, cannot be fairly accounted Disloyalty, they that will say so, may well be counted such as condemn the Generation of the Righteous in all Ages; even the Apostles and Disciples of our Lord Jesus, they were the Non-Conformists of that day: and yet they were Loyal Subjects under all those Governments where the Providence of God did cast them; and the Apostle, *Paul* though he did Preach up Subjection to Authority, yet he did maintain his Non-Conformity, in matters of Religion; and the Christians in Queen *Maries* days, did maintain their Non-Conformity, in not submitting to the Religion, as it was Established by Law; and yet they were Loyal Subjects; and so it may be truly said of the *French* Protestants, their Non-Conformity doth not destroy their Loyalty. Thus it is evident that Nonconformity is consistent with true Loyalty. Yet it may be further Demonstrated, that Non-Conformity may be attended with the greatest Loyalty, when Conformity may be attended with the greatest Disloyalty, as doth appear in that famous instance of *Mordecai*, who was a Notorious Non-Conformist, in not submitting to the Established Worship of that Kingdom; and yet such was his Loyalty, that he discovered the Treason of two of the Kings Chamberlains, who may well be concluded to be the Conformists in Religious matters, and yet designed to deprive the King of his Life; but *Mordecai* the Non-Conformist did save the Kings Life, though he went some considerable time unrewarded for that his Loyal Service.

3. Consider that the Punishment of this Statute is too great for the Offences, viz. of not coming to Church to hear Common-Prayer, & of frequenting Conventicles; if by Conventicles are meant only such Meetings where there is the Exercise of Religion, as it is now among the Protestant Dissenters; the Punishments provided by this Act being of several sorts, 1. Imprisonment, 2. Abjuration, 3. Death, if Abjuration be Refused, 4. Loss of all Goods for ever. 5. Loss of all Lands, Tenements, and Hereditaments, during the Life of the Offender; and all this for not coming to hear Common-prayer, and frequenting of such Religious Meetings as are called Conventicles.

Now it seemeth very strange, that so severe a Law should be made by a Protestant Queen, and by a Protestant Parliament, against any Persons that could not in Conscience Submit to that form of Religion Established by Law, who notwithstanding were Protestants, and did own, approve, and promote the Protestant Religion, in the main and Substantial parts of it: Especially considering how the said Queen, and those Assembled in the aforesaid Parliament, did groan under the Government of Queen *Mary*, because their Consciences were imposed upon, by Reason of the *Popish Religion*, which then was Established by Law; and then the Poor Protestants were deemed no better then *Sectaries*, *Schismatics*, and *Hereticks*, and their Religious Meetings, wherever they could get together, were accounted Seditious Conventicles, and Rebellious Meetings; and they were Prosecuted both by the Ecclesiastical and the Temporal Power, even unto Death.

4. Consider that though Queen *Elizabeth* did give the Royal Assent unto this Act of Parliament, she was greatly troubled when Mr. *Henry Barrow*, Mr. *John Greenwood* and Mr. *John Penry*, were put to Death for their Non-Conformity; she being informed by some (of whom she demanded an Account of their Death, they being at that time present) That they were very Eminent Christians, and that if they had lived, they might have been as worthy Instruments for the Church of God, as hath been raised in this Age, at which her Majesty sighed.

5. Consider that though this Act hath been continued from time to time, yet there hath been a cessation of the Executing of it, from the latter end of Queen *Elizabeths* Reign, to the Reign of his present Majesty.

6. Consider that though some Justices of the Peace have attempted to put this Act in Execution, since his Majesties Restauration, whereby a considerable Number of Protestant-Dissenters were Convicted at *Aylesbury*, and all their Goods in their shops and houses were seized; and they were in great danger of being quickly hanged, but thanks be to God, his Majesty had Compassion, Judging it too hard dealings for his Protestant Subjects; and so he not only saved their Lives, but Restored them all their Goods, which Gracious Proceedings of the King was agreeable to his Royal Promise, in his Royal Declaration from *Breda*, in these words;

*We do Declare a Liberty to tender Consciences, and that no man shall be disquieted or called in Question, for differences in opinion in matters of Religion, which do not disturb the Peace of the Kingdom, and that We shall be ready to consent to such an Act of Parliament, as upon Mature Deliberation shall be offered to Us for the full granting such Indulgence.*

7. Consider that the Lords and Commons Assembled in Parliament, even of late years, did take into their wise and serious Consideration this very Statute, and by joyned agreement had prepared a Bill for the Repealing of the same, that so the Kings Protestant Subjects might be no more in danger of it; but behold there was an unhappy failure in Mr. *Somebody* that it was not Presented to his Majesty at the time when other Bills were presented and had the Royal Assent, however for as much as Lords and Commons had agreed unto it, and His Majesty did not Reject it; it seemeth to be the voice of the Kingdom, that this aforesaid Statute should not be put in Execution.

IV. Sometimes the Protestant Dissenters are distressed in being Prosecuted by the Statute of the 7th. of *Jacobi*, which Statute doth provide the Punishment of Imprisonment, for Refusing to take the Oath of Allegiance, and in Refusing of it so often as the Law provideth for the tendering of it, that then the said Person shall incur a *Premunire*; Now, there are great Numbers of his Majesties Protestant Subjects, who are Dissenters, who have and can freely take the said Oath; and there be many others who are Dissenters, that cannot take the said Oath: *First*, Because they think it is Unlawful to swear in any Case, because Christ hath said, *Swear not at all*. *Secondly*, Some cannot take the said Oath, because they think a Promissary Oath is not Lawful. *Thirdly*, Some cannot take the said Oath, because they think that they are thereby bound to an Actual Obedience, and Performance of all the Laws of the Realm, and from thence conclude that they are bound to go to Church, and to take the Sacrament, and to forbear to go to such Religious Meetings as are called Conventicles; and therefore with Patience they do rather Submit to the Punishment of the said Law, for Refusing the said Oath.

But others of the Dissenters are otherways perswaded concerning the aforesaid Oath, and the aforesaid Particulars, as the Opinions of their fellow Dissenters; *First*, they think Christ hath not forbid all kind of Swearing whatsoever, but by these words, *Swear not at all*, they understand not at all to swear by those things mentioned, *viz.* Heaven, Earth, *Jerusalem*, the Temple, the Altar, or any other thing below God himself.

*Secondly*, They do not think that a Promissary Oath is unlawful, because it is not unlawful to make a Promise, and thereby bind themselves to the Performance of any lawful matter contained in such Promise, and therefore if the matter of an Oath be lawful, they think they may as well swear to Perform it as promise to perform it; especially the matter being between the King and Subject, and the Swearing being the most solemn way of assuring the performance of the matters promised, and of believing the matters asserted in the said Oath. And so end that Controversy.

*Thirdly*, They cannot think or believe that by the Oath they are Bound to an actual performance of all the Laws of the Realm for the Reasons following.

*First*, Because if they be so Bound, then are all the Kings Subjects who have taken the said Oath so bound also, and then it fairly followeth, that if in any thing any Law be broken, then the said Oath is broken, and the Persons Allegiance to his King is Broken also which seemeth to be a harsh conclusion, because then great multitudes of the Kings Subjects who are not Dissenters must be deemed deeply guilty in this matter, *viz.* Such as swear, prophanely, such as curse, such as are drunk, such as promote the Trade of French Wines must be adjudged forsworn persons & breakers of their Allegiance, because in these and divers other things they are Breakers of the Law which seemeth to be an uncharitable conclusion,



conclusion concerning such whom Authority doth deem Liege Subjects, notwithstanding their Breaking the Laws by the aforesaid Offences.

Secondly, Such Dissenters as can and do take the aforesaid Oath, cannot think they are thereby bound actually to obey all the Laws of the Realm, and be bound by Oath to go to Church, and to take the Sacrament, and to forbear their Religious Meetings, because no such thing is expressed in the said Oath, and the Oath it self doth but bind those that take it according to the plain and express words thereof. Let the last words of the Oath be well considered, *viz.*

*And all these things I do plainly and sincerely Acknowledge and swear, according to the Express Words by me spoken, and according to the plain and common sense and understanding of the same words, without any Equivocation, or mental Evasion, or secret Reservation whatsoever; and I do make this Recognition and Acknowledgment, heartily, willingly, and truly, upon the True Faith of a Christian, so help me God.*

From which part of the Oath, as it belongeth to the whole of the said Oath, Let these things be Observed.

1. That whatsoever thing is not in the express words of the said Oath, that is not sworn unto, either as a negative or an affirmative.

2. That the matter contained in the express words must be understood, and so sworn unto as doth agree with the common and known sense of such *English Words, viz.* Without straining or stretching of the words beyond the literal sense of them, without any equivocation or mental evasion, or secret reservation whatsoever, *viz.* without any cunning or secret or mystical apprehension of the words of the said Oath.

Now the Particulars fairly expressed in the said Oath, are these that follow.

1. A solemn asserting of the Kings Right to the Crown of this Realm, and other his Dominions.

2. A solemn denying that the Pope of himself, nor by any Authority of *Rome*, or by any other means, hath any power or authority over the Kings Person, or over any of his Countries, or over any of his Subjects.

3. A Solemn Resolution to be true and faithful Subjects to the King, notwithstanding any Declaration or Sentence of Excommunication, or Deprivation made or granted, or to be made or granted by the *Pope* or his Successors, or by any Authority derived or pretended to be derived from him, or his See against the said King, his Heirs or Successors; and him and them will defend to the utmost of my power against all Conspiracies and Attempts whatsoever, which shall be made against his or their Persons, their Crown or Dignity, by reason or colour of any such Sentence or Declaration, or otherwise.

4. That as such shall not be guilty of Treason themselves, so they are Bound to discover all Treasons and Traiterous Conspiracies they shall know among any others.

5. A Solemn Renunciation of that Damnable Doctrine, That Princes which be Excommunicated or Deprived by the Pope, may be deposed or murdered by their Subjects, or any other whatsoever.

6. That the Pope, nor any other person whatsoever, hath power to absolve from this Oath or any part thereof.

7. A Solemn Declaration that this Oath is taken sincerely and not Hypocritically.

Now for as much as many good Christians do scruple the taking of the aforesaid Oath by reason of their concluding, that they are thereby bound to more things then is expressed in the said Oath, and yet are well satisfied and Resolved to defend the Kings Person, and maintain the welfare of the Kingdom against the Pope and all Forreign Power, and have given great demonstration of their own peaceable subjection to His Majesties Government, it seemeth to be a Proceeding of great severity to punish such persons who fear swearing this Oath only least they should Sin against God, in swearing that which they know they cannot perform, *viz.* A thorow Conformity to the Church Matters, which if that were the meaning of the Oath, those Nonconformists that have taken the said Oath, would not have taken it,

Now therefore that each Party may be helped in this matter here followeth a Copy of the Oath of Allegiance, and King *James* his Exposition or Paraphrase upon it.

#### The Oath of Allegiance.

*I A. B. Do truly and sincerely acknowledg, Profess, Testifie and declare in my Conscience, before God and the World, that our Sovereign Lord King James is Lawful and Rightful*

ful King of this Realm, and of all other his Majesties Dominions and Countries, and that that the Pope, neither of himself, nor by any Authority of the Church or See of Rome, or by any other means with any other, hath any power or authority to depose the King, or to depose any of his Majesties Kingdoms or Dominions, or to Authorize any Forreign Prince to invade or Annoy him or his Countries, or to discharge any of his Subjects of their Allegiance or Obedience to his Majesty, or to give Licence or leave to any of them to bear Arms, to Raise Tumults, to offer any violence or hurt to His Majesties Royal Person, State or Government, or to any of His Majesties Subjects within his Majesties Dominions. Also I do swear from my Heart, that notwithstanding any Declaration or Sentence of Excommunication or Deprivation made or granted, or to be made and granted by the Pope or his Successors, or by any Authority derived, or pretended to be derived from him, or his See against the said King, his Heirs or Successors, or any Absolution of the said Subjects from their Obedience; I will bear Faith and true Allegiance to his Majesty, his Heirs and Successors, and him and them will defend to the utmost of my power against all Conspiracies and Attempts whatsoever, which shall be made against his or their Persons, their Crown and Dignity, by reason or colour of any such Sentence or Declaration, or otherwise; And I will do my best endeavour, to disclose and make known unto his Majesty, his Heirs and Successors, all Treasons and Traiterous Conspiracies, which I shall know or hear of, to be against him or any of them; And I further swear, That I do from my heart abhor, detest and abjure as impious and heretical, this Damnable Doctrine and Position, that Princes which be Excommunicated or Deprived by the Pope, may be deposed or murdered by their Subjects, or any other whatsoever; and I do believe and in my Conscience am Resolved, that neither the Pope, nor any other person whatsoever, hath power to absolve me of this Oath, nor any part thereof, which I acknowledge by good and full Authority to be lawfully Ministered unto me; and do Renounce all Pardons and Dispensations to the contrary.

And all these things I do plainly and sincerely Acknowledge and Swear, according to these Express Words by me spoken, and according to the plain and common sense and understanding of the same words without any Equivocation, or mental Evasion, or secret Reservation whatsoever; and I do make this Recognition and Acknowledgment, heartily, willingly and truly, upon the True Faith of a Christian. So help me God.

And now for a further and better help to understand the Oath of Allegiance, let King James his answer to Cardinal Bellarmine be well considered concerning this Oath, in his Apologie for the Oath of Allegiance, page 46. where he saith,

It may appear what unreasonable and rebellious points he would drive my Subjects unto, by Refusing the whole Body of that Oath, as it is conceived: for he that shall Refuse to take this Oath, must of necessity hold all or some of these Propositions following: viz.

1. That I King James am not the Lawful King of this Kingdom, and all other my Dominions.
2. That the Pope by his own Authority may depose me; if not by his own Authority, yet by some other Authority of the Church, or of the See of Rome; if not by some other Authority of the Church or See of Rome, yet by other means with others help he may depose me.
3. That the Pope may dispose of my Kingdoms and Dominions.
4. That the Pope may give Authority to some Forreign Prince to invade my Dominions.
5. That the Pope may discharge my Subjects from their Obedience and Allegiance to me.
6. That the Pope may give Licence to one or more of my Subjects to bear Arms against me.
7. That the Pope may give leave to my Subjects to offer violence to my Person, or to my Government, or to some of my Subjects.
8. That if the Pope shall by Sentence Excommunicate or Depose me, my Subjects are not to bear Faith and Allegiance to me.
9. If the Pope shall by Sentence Excommunicate or Depose me, my Subjects are not bound to defend with all their power my Person and Crown.
10. If the Pope shall give out any Sentence of Excommunication or Deprivation against me, my Subjects by reason of that Sentence, are not bound to Reveal all Conspiracies and Treasons against me which shall come to their hearing or knowledge.

11. That it is not Heretical or detestable to hold that Princes being Excommunicated by the Pope, may be either deposed or killed by their Subjects or any other.

12. That the Pope hath power to absolve my Subjects from this Oath, or from some part thereof.

13. That this Oath is not Administred to my Subjects by a full and lawful Authority.

14. That this Oath is to be taken with Equivocation, Mental Evasion, or secret Reservation, and not with the Heart and good-will, Sincerely, in the Faith of a Christian Man.

These are the true and natural Branches of the Body of this Oath.

And now forasmuch as there is another Oath, called the Oath of Supremacy, about which many good Protestants have differing Apprehensions, some being very free to take the said Oath, & some do Conscienciously scruple it, and so dare not take it for fear they should sin against God in so doing: The same Oath shall be here Presented to Consideration.

### The Oath of Supremacy.

*I A. B. Do utterly Testifie and Declare in my Conscience, That the Queens Highness is the only Supream Governour of this Realm, and of all other Her Highness Dominions and Countries, as well in all Spiritual or Ecclesiastical Things or Causes, as Temporal: And that no Forreign Prince, Person, Prelate, State, or Potentate, hath, or ought to have any Jurisdiction, Power, Superiority, Pre-eminence or Authority Ecclesiastical or Spiritual, within this Realm; and therefore I do utterly Renounce and Forsake all Forreign Jurisdicions, Powers, Superiorities and Authorities, and do promise that from henceforth I shall bear Faith and True Allegiance to the Queens Highness, her Heirs and Lawful Successors, and to my power shall assist and defend all Jurisdicions, Priviledges, Pre-eminences and Authorities, granted or belonging to the Queens Highness, her Heirs or Successors, or united and annexed to the Imperial Crown of this Realm, So help me God, and by the contents of this Book.*

Now in the aforefaid Oath, some of the words are such as many Godly Persons cannot heartily speak, and therefore Refuse to speak them at all in a way of Swearing, viz. That the King as Supream Governour of this Realm, is Supream Governour in all Spiritual or Ecclesiastical Things or Causes, as well as in all Temporal Things and Causes.

Which words are Expounded or Explained by Queen Elizabeth, in an Admonition Annexed to the Queens Injunctions: Published in the first year of her Raign, which take as followeth.

*And further, Her Majesty forbiddeth all manner of Subjects to give Ear or Credit to such perverse and malicious persons, which most sinisterly and maliciously labour to notify to her loving Subjects, how by the words of the said Oath it may be Collected, the Kings or Queens of this Realm, Possessors of the Crown, may challenge Authority and Power of Ministry of Divine Offices in the Church, wherein her said Subjects be much Abused by such evil disposed persons: For certainly Her Majesty neither doth nor ever will challenge any other Authority, then that was Challenged, and lately used by the said Noble Kings of Famous Memory, King Henry the Eighth, and King Edward the sixth, which is and was of ancient time due to the Imperial Crown of this Realm, That is under God to have Sovereignty and Rule over all manner of persons Born within these her Realms, Dominions and Countries, of what Estate either Ecclesiastical or Temporal soever they be, so as no other Forreign Power shall or ought to have any Superiority over them; and if any person, that hath conceived any other sense of the Form of the said Oath, shall accept the same Oath with this interpretation, her Majesty is well pleased to accept every such in that behalf, as her good & obedient Subjects, & shall acquit them of all manner of Penalties contained in the said Act, against such as shall peremptorily or obstinately Refuse to take the said Oath.*

And in the fifth year of her Majesties Raign, there was an Act of Parliament to confirm this Sense of the said Oath, in these following words.

*Provided also, That the Oath expressed in the said Act made in the said first year, shall be taken and expounded in such Form as is set forth in an Admonition Annexed to the Queens Majesties Injunctions, published in the first year of her Majesties Raign, That is to say, to confesse*



*confess and acknowledg in her Majesty, her Heirs and Successors, none other Authority then that was Challenged and lately used by the Noble King Henry the Eighth, and King Edward the Sixth, as in the said Admonition more plainly may appear.*

Now from the aforesaid Oath, together with the aforesaid Exposition Confirmed by Act of Parliament: Let these things be Considered.

1. A Solemn Assertion of the Queens Power and Authority in her own Kingdom and Dominions, in opposition to any Forreign Prince, Person, Prelate, State or Potentate.
2. That the Power and Authority of the Queen in her own Realms, and other her Dominions, was over all Ecclesiastical Persons, as well as over all Temporal Persons, so as to be tryed by her Laws in all Matters and Causes they may be concerned in; that if innocent, they may be acquitted; but if guilty, they may be punished by her Power and Authority, according to her Laws in her Courts of Justice, without Appealing to, or hoping for Relief from Forreign Jurisdiction.
3. And therefore let all those who do Conscienciously scruple to take either of the aforesaid Oaths; Consider whether they have not entertained such notions and apprehensions of them, as the plain words and comon sense of such words will not fairly bear, and thereby expose themselves to such trouble, as they might lawfully escape, if their Judgments were better informed.
4. Let such as have power to tender and impose the said Oaths upon persons, Consider whether the Tender of such Oaths is not sometimes done out of spite to the persons before them, they knowing that they are of Scrupulous Consciences, and so are sure, that they have an opportunity to afflict them; and yet know in their own Consciences that such persons are good Protestants, and have long lived in all peaceable manner under the Government, and so desire to abide, that they may lead a quiet and peaceable life in all Godliness and Honesty under Authority, as they are taught by the Good Word of God.

V. Another Law by which the Protestant Dissenters have been and still are Prosecuted and Distressed, is, the 17. of Car. 2. Chap. 2. viz. *An Act for Restraining Nonconformists from Inhabiting Incorporations.*

Now the Persons punishable by this Act, are such as are Nonconformist Preachers, who live in a Corporation, or within five Miles of a Corporation, and that Preach in Conventicles, and thereby under pretence of Religion do distill Poysonous Principles of Schism and Rebellion into the Hearts of his Majesties Subjects, to the great danger of the Church and Kingdom. See the first Paragraph of the said Statute. And the punishment provided by the said Statute for such persons, is the forfeiture of Forty Pounds, to be sued for in any Court of Record at *Westminster*, or before the Judges of Assize, and also six Months Imprisonment, if such persons shall Refuse to take the Oath Provided by this Act: A Copy whereof is as followeth.

*I A. B. Do Swear, that it is not lawful upon any pretence whatsoever, to take Arms against the King, and that I do abhor that Traiterous Position of taking Arms by his Authority against his Person, or against those that are Commissioned by him, in pursuance of such Commissions; and that I will not at any time endeavour any Alteration of Government either in Church or State.*

Now from the aforesaid Statute, Let these things be Considered.

1. That the Main Design of the said Act was to rid Cities and Corporations of such Nonconformist Ministers, as under pretence of Religion, do distill Poysonous Principles of Schism and Rebellion into the Hearts of his Majesties Subjects, to the danger of Church and State.

Now if there be any such Criminal Persons under the name of Nonconformist Ministers, let them suffer according to their Crimes, when proved by sufficient Evidence.

2. Consider that all sorts of Nonconformist Ministers do abhor to be such Persons

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sons, and to promote Rebellion; but they do generally make it their business to Preach Eternal Salvation by the Blessed Merits of Jesus Christ, and a Holy Conversation, according to the Blessed Gospel of Jesus Christ; following the things which make for Peace here, and hoping to enjoy a Better Peace when this Life is ended.

3. Consider, That though these good things are managed in Separate Congregations distinct from the National Church, yet they ought not to be counted the Managers of Schism and Rebellion, but the Promoters of the Protestant Religion in higher degrees of Reformation, according to the Word of God.

4. Consider, That for such men to be exposed to live five miles from Cities and Corporations, or else to live in a Goal, seemeth to be hard dealing; thus being compelled to live at such a distance from the chief places of the Kingdom, is a kind of Banishment from our Country, while in our Countrey, and all this for Nonconformity to the Church, and for not swearing all the particulars in the Oath provided by the said Act; one particular being this, *That I will not at any time endeavour any Alteration of Government either in Church or State.*

Which words doth at least suppose, that all things in the Church Government, are so well and so compleat, that there ought to be no endeavours to alter or amend them, and this is a great scruple to many persons that are good Protestants.

VI. Another Statute by which the Protestant Dissenters are Distressed, is the 22d. of Car. 2. Chap. 1. Intituled, *An Act to Suppress Seditious Conventicles*, from which Statute let these particular things be soberly considered.

1. That this Statute was provided, as a further and more speedy Remedy against the growing and dangerous Practices of Seditious Sectaries, and other Disloyal Persons, who under pretence of Tender Consciences, have or may at their Meetings contrive Insurrections (as late Experience hath shewn.) See Paragraph 1.

Now it is well known throughout this Kingdom, that the Protestant Dissenters, even every sort of them, do abhor to be such persons; and therefore do deem it a great wrong, that they should be accounted and prosecuted as such persons: 1. Because though they be separate from the Church of England, yet that doth not demonstrate them to be Seditious Sectaries, forasmuch as the main things in the Christian Religion, Professed by the Church of England, is Professed by the Dissenters, with a greater care to live suitably unto such a Holy Profession, then the generality of the Visible Members of the Church of England do make Conscience of, and therefore they deserve to be accounted such as further the Protestant Reformation, and not such as are guilty of Sedition. 2. They deem it a wrong to be counted persons of Disloyalty merely because of their Nonconformity, especially considering what a demonstration they have given of being peaceable under the Government for so many years, notwithstanding many and great Troubles they have met with in most parts of this Kingdom, merely for Matters of Conscience, 3. And forasmuch as mention is made of Meeting under colour and pretence of the Exercise of Religion, to contrive Insurrections, the Protestant Dissenters, in general, can comfortably Appeal to God and the whole Kingdom, that they are not guilty in this Matter; and besides this, it is not consistent with good reason, that contriving of Insurrections could be at all managed in the Dissenters Meetings, forasmuch as all sorts of persons do Resort unto them, viz. Rich and Poor, young and old, and do daily find no other Matters, but the Real Exercise of Religion, in Praying to God, Praising of God, and Preaching the Word of God, that they may further the Conversion and Salvation of each other. Furthermore it is to be considered, that since the making of the aforesaid Act, and the violent Prosecution thereof, to the very great damage of many Protestant Families, His Majesty did take such Grievances of his Subjects of Tender Consciences, into his Princely and Compassionate Consideration, and did Declare his Dislike of such forceable courses in matters of Conscience: See His Majesties Declaration to all his Loving Subjects, March 15. 1672. Published by the Advice of his Privy Council.

2. The Persons in the aforesaid Act, who are accounted Offenders, are, *All such who being of the Age of Sixteen years or upwards, being Subjects of this Realm, who shall be present at any Assembly, Conventicle or Meeting, under colour or pretence of any Exercise of Religion, in other manner then according to the Liturgy and Practice of the Church of England, they being in number five, or more besides the Family or Household, and if it be in*

*a place where there is no Family Inhabiting, then the number of five or more are deemed Offenders.*

Now from this part of the Act, consider that the Persons Accounted Offenders, are such whose Exercise of Religion is in other manner than according to the Liturgy and Practice of the Church of *England*: And therefore it is needful soberly to inquire, whether the Exercise of Religion, as it is among the Protestant Dissenters, be in other manner then according to the Liturgy and Practice of the Church of *England*; And therefore let the Exercise of Religion in the Church of *England*, and as it is among the Protestant Dissenters, be well considered and compared together, and then we shall see whether it be Contradictious or Harmonious.

1. The Exercise of Religion in the Liturgy, and as it is Practiced in the Church of *England*, respecting the matters of it, doth consist of Prayers to Almighty God, in the Name of Jesus Christ his only Son for Spiritual and Temporal Blessings; and this is the Practice of the Protestant Dissenters in their Meetings.

2. The Church of *England* in the Exercise of Religion, do give Thanks to God for Mercies Received from God as the Gracious Act of his Bounty and Good-Will unto such as are unworthy of the least Mercy; and thus do the Protestant Dissenters in their Meetings.

3. The Church of *England* does instruct Souls from the holy Scriptures of the Old and New Testament, *viz.* From the Law and the Prophets, and from the Epistles and Gospels, which doth contain the Doctrine and Practice of Christ and his Apostles; and thus do the Protestant Dissenters, for which they are Prosecuted to their great damage.

4. The Church of *England* doth perform Religious Worship in *English*; and so do the Protestant Dissenters, that all Parties which come to attend the Exercise of Religion among them, may understand what they are about.

5. The Church of *England* doth observe the first day of the week, commonly called the Lords day, in Prayers and Sermons; and so do the Protestant Dissenters; yea in this matter the Dissenters are more careful that the day may be Religiously observed, then the Church-Protestants.

6. The Church of *England*, and the Protestant Dissenters do agree in the Articles of Faith, respecting the main and substantial matters of the Protestant Religion; briefly thus: 1. That there is a Holy Trinity, *viz.* Father, Son and Holy Ghost. 2. That Jesus Christ is very God as well as very Man, and that the Person of Christ considered as God and Man together, with his compleat keeping of Gods Holy Law without any Breach of it in his own Person, and his suffering the severity of Divine Justice in the room of Sinners, is thereby the compleat and only Saviour of all those that truly Believe in him, and Repent of their Sins. 3. That the same Jesus Christ which was Born of the Virgin *Mary*, being conceived of the Holy Ghost, and that dyed upon the Cross, and after being Buried was Raised from the Dead, is also ascended to the Right-hand of God in Heaven, there to appear in the Presence of God, as an Advocate and Intercessor for all them that come to God by him, and he is able to save them to the utmost. 4. Both Parties do believe that the Holy Scriptures are the Rule of Faith and Practice. 5. As concerning the Church of God upon Earth, the Dissenters do agree with the Church of *England* in that description given of Christs Visible Church. See the Nineteenth Article of the Church of *England* in these very words: *The Visible Church of Christ, is a Congregation of faithful men, in which the Word of God is Preached, and Sacraments be duly Ministred according to Christs Ordinance, in all those things that of Necessity are Requisite to the same*: So profess and confess the Dissenters also.

3. Consider the punishments provided by the aforesaid Statute, to be inflicted upon the Offenders, *viz.* five shillings for the first Offence, and ten shillings for the second offence, for being only in the capacity of a Hearer; and Twenty Pounds for every house that shall entertain any such Conventicle, and Twenty Pounds for the first Offence of him that shall Teach or Preach in such Meetings, and Forty Pounds for every such Offence after the first Conviction; and also Power is given to the Justices of Peace, to Levy the Fines of some persons upon others, so far as Ten Pounds, and all these Fines to be levied upon the Goods and Chattles of the Offenders.

And in the Prosecuting of many Persons by the aforesaid Statute, much more then the Sums of Money Levied have been taken away, and the Goods Sold without making any Return of the over-pluss, to the very great damage of many good Protestant Families.

And



And now whether such Proceedings be the best way to suppress Popery and promote the Protestant Religion, shall be left to the serious consideration of all sorts of Protestants, especially to Protestant Magistrates, who oftentimes have opportunity to display Justice with Wisdom and Mercy, which is far better then such Severity as looketh too much like Cruelty. And therefore as a help to such Magistrates as are perplexed with Informers by the demand of Warrants to disturb Peaceable Protestants in their Meetings, and in the Seizure of their Goods afterward, let these following things be inquired into by such Magistrates as desire to discharge their Office faithfully in doing Justice between the King and the Subject.

1. Whether all the People above the number of five besides the Family, are the Subjects of this Realm; for they are the Offenders in the sense of this Statute, and not the Subjects of other Realms, and therefore the Informer ought to swear that those he doth inform against, are Subjects of this Realm.

2. Whether there was any endeavours to make or contrive any Insurrections against the Government; for the very design of the aforesaid Act was to prevent such Meetings.

3. Whether there was any seditious words spoken in the Prayers or Preaching of the Assembly of People, seeing this Act was made on purpose to suppress Seditious Meetings.

4. Whether the Praying and Preaching was according to the Liturgy and Practice of the Church of England, viz. whether the Prayers were Protestant Prayers, and the Preaching Protestant Preaching, so as to promote the Protestant Religion, or some other Religion; if the Informers should say they were not there long enough to know the truth of these things, then it will be evident that such men are not fit to be sworn Evidences against such Meetings, forasmuch as their Oath doth not reach to such matters of Fact as is mentioned in the Statute.

And these things ought to be the more narrowly looked into, because those that turn Informers are usually such as have some particular spite against some particular persons, and so instead of doing Justice according to Law, do but seek after some Revenge for themselves upon the Persons of such as they are offended at; or else it is done that they may have that wages mentioned in the Act, viz. the third part of the Fines of such persons they swear against, and so strive to make themselves rich by making others poor.

And this is to be greatly lamented, that some Justices of the Peace have mightily furthered the Informers, by being too ready to receive their Informations, and by Convicting Persons of divers Offences, as they called them, before ever the person knew of such Conviction; and so sending divers Warrants of distress altogether, amounting to very considerable sums of Money. A Hot-headed Constable presently becomes a Slave to the proud Informers, and so maketh a suddain Seizure upon the outward Substance of such as fear God and love Godliness. And whereas the Justices may, if they will, lay but the Fine of Five Shillings upon a person for his first, or ten shillings for his second Offence, they do sometimes lay the sum of ten pounds for the defaults of others, and so add many ten pounds together to the near Ruining of some persons. *And thus they that depart from evil make themselves a Prey, but the Lord will see and show himself displeased at it.* See Isaiah 59. 15.

VII. Another way of distressing and perplexing the Poor Protestant Dissenters, is by the Proceedings of the Ecclesiastical Courts, the ways and methods of whose Proceedings are as followeth:

1. The said Ecclesiastical Courts do require the Church-Wardens and Ministers to make Presentment of such persons as do not come to their Parish-Church, and unto the Sacrament.

2. Upon Receiving such Presentments, then the said Courts do issue forth Citations for such Persons being Presented to come and make answer to the said Presentments.

3. If the said Citations be not served upon the persons who are Presented, then the said Courts cause a Paper called *Vis & Modis* to be set upon the Church-Door, or upon the Persons own Door, requiring the Person to appear upon a certain day.

4. If the Person do not appear, then the said Court proceedeth to Excommunication for Contempt.

5. If the Person do appear, then the Court doth acquaint such Person that he is Presented for not coming to Church, and for not Receiving the Sacrament.

6. If the Person do not make it appear that he hath been at Church, and taken the Sacrament within the time mentioned in the said Presentment, then the Judge of the said

said Court doth proceed to Admonition, That the said Person shall Repair to his Parish Church, and take the Sacrament by such a day as is appointed by the Admonition, and bring a Certificate from the Minister of the said Parish, that he hath so done, whether fit for it or no.

7. If the said Person do not obey the said Admonition then the Ecclesiastical Court doth Decree him Excommunicated, and so send an Excommunication to the Minister, requiring him to publish the same upon such Sunday or Holy-day as they appoint.

8. If the said person stand Excommunicated forty days, then the Bishop of the Diocese doth Certify this matter in the High-Court of Chancery, by a certain thing called a *Significavit*.

9. Then the High-Court of Chancery in the Term-time, doth award forth or grant a Writ called *De Excommunicato Capiendo*, which is directed to the Sheriffs of the City or County where the Excommunicate Person is an Inhabitant, that the said Person may be Apprehended and Committed to Prison, and there to remain without Bail or Mainprize, until he shall satisfy the Church-Party, so as to obtain Abolution; which may be obtained several wayes, as it is allowed and practised by the Ecclesiastical Court. First by swearing the Ecclesiastical Oath, which is to swear to obey all the Kings Ecclesiastical Laws, and the Lawful Commands of his Ordinary; Secondly giving a Bond to Conform upon the Penalty of so much money as shall be agreed upon between the Excommunicated Person and the aforesaid Court, which formerly used to be ten pounds, but now of late years the Ecclesiastical Market is risen, and twenty pounds Bond is required; Thirdly, such as are not willing to take the aforesaid Oath, nor give the aforesaid Bond, may be absolved, and so allowed some time to Conform, if they will pay a Pledge, which usually is ten pounds present payment, and he that will not comply with any of these ways, must abide in Goal; whatever becometh of his poor Family; and besides all this, the said person must pay the Charges of the Ecclesiastical Court, which is sometimes ordinary, and sometimes extraordinary; the ordinary charges is about Forty Shillings.

And now that it may be demonstrated, that the Protestant Dissenters are not obstinate, but Conscientious in their Nonconformity to the Church of England, let these Causes and Reasons of their Nonconformity be soberly considered in the particulars following:

The Protestant Dissenters cannot Conform to the Church of England;

1. Because they cannot find a National Church in the New Testament. But the Churches they find there, are Congregational Churches, which consisted of such Persons as God by his Word and Spirit had converted from a State of Nature to a State of Grace: Such were the Churches of Jerusalem, Samaria, Antioch, Corinth, and Ephesus, &c. who being persons separated from the people amongst whom they were Inhabitants, did by a mutual Consent and Agreement one with another, maintain a Holy Communion together in the Worship of God, as it was founded upon the Word of God: And so they were the Nonconformists of that day, and underwent great Sufferings for not Conforming to that Worship which was Established in the places where they inhabited.

2. Because they cannot find any such Officers belonging to a Church of Christ in the New Testament, as Arch-bishops, Lord Bishops, Deans, Arch-Deacons, Prebends, Commissaries, Officials, &c. But they find such Officers in the Church of Christ as are called Pastors, Elders, and Overseers, and the word Bishop doth belong to the same persons under the former Title, considered as Teachers of, and Rulers over the true Church of Christ; and the Apostle Peter doth forbid the Bishops of Christ's Church to be Lords over Gods Heritage, 1 Pet. 5. 3.

3. The Protestant Dissenters cannot Conform to the Church of England in the Holy Sacrament, called in Scripture the Lords Supper, because that Holy Ordinance is not Administred unto the Communicants as Converted Persons, but as those who by Tradition are brought up to Acknowledge and Confess Christ, although in works too many deny him, by living Prophane Lives, being greatly guilty of Swearing, Cursing and Drunkenness, and divers other scandalous matters; which is a Reproach to the Protestant Religion; for although the Protestant Religion be the Reformed Religion, yet thousands of those that profess it are not Reformed Persons; and besides this too many of those who are Ministers of the said Church, and so are Administrators of this Holy Ordinance are known to be very unholy in their Conversations, notwithstanding all which, the Protestant Dissenters have a great veneration and high esteem of many both of the Nobility, Gentry, Clergy, and Common People, of the Church of England, who live sober lives, and walk Conscientiously in Civil and Religious Matters.

Several other Reasons might be added, but these shall suffice for the present.

### Conclusion.

Now forasmuch as the Protestant Religion is Profess'd by his Majesties Subjects in general, considered as Conformists and Nonconformists, and both Parties are agreed in the main and substantial Parts thereof, and also both Parties are in a like danger of the Papists; If ever the Government of the Realm should fall into their hands, (which God of his Infinite Mercy prevent, for then the Church Protestants as well as the Dissenting Protestants would be deemed Fanaticks, Schismaticks, Hereticks, yea, Rebels, and would be Persecuted as such) Therefore it highly concerns all sorts of Protestants to see to one another, as Abraham to Lot, Gen. 13. 7, 8. Let there be no strife between us, for we are Brethren: Especially considering the Popish, Canaanite and Perizite are now too much in our Land.

Mat. 7. 12. Therefore all things whatsoever ye would that men should do to you, do ye even so to them; for this is the Law and the Prophets.

## FINIS.